



General Assembly

***Substitute Bill No. 6701***

*January Session, 2005*

\* \_\_\_\_\_HB06701PD\_\_\_\_040105\_\_\_\_\_\*

***AN ACT CONCERNING ACCESS TO HOUSING.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 8-3e of the general statutes is repealed and the  
2       following is substituted in lieu thereof (*Effective July 1, 2005*):

3       (a) No zoning regulation shall treat the following in a manner  
4       different from any single family residence: (1) Any community  
5       residence [which] that houses six or fewer mentally retarded persons  
6       and necessary staff persons and [which] that is licensed under the  
7       provisions of section 17a-227, [or] (2) any child-care residential facility  
8       [which] that houses six or fewer children with mental or physical  
9       disabilities and necessary staff persons and [which] that is licensed  
10      under sections 17a-145 to 17a-151, inclusive, or (3) any community  
11      residence that houses six or fewer persons receiving mental health or  
12      addiction services and necessary staff persons paid for or provided by  
13      the Department of Mental Health and Addiction Services and that has  
14      been issued a license by the Department of Public Health under the  
15      provisions of section 19a-491, if a license is required.

16      (b) Any resident of a municipality in which such a community  
17      residence or child-care residential facility is located may, with the  
18      approval of the legislative body of such municipality, petition (1) the  
19      Commissioner of Mental Retardation to revoke the license of such  
20      community residence on the grounds that such community residence

21 is not in compliance with the provisions of any statute or regulation  
 22 concerning the operation of such residences, [or ] (2) the Commissioner  
 23 of Children and Families to revoke the license of such child-care  
 24 residential facility on the grounds that such child-care residential  
 25 facility is not in compliance with the provision of any general statute  
 26 or regulation concerning the operation of such child-care residential  
 27 facility, or (3) the Commissioner of Mental Health and Addiction  
 28 Services to withdraw funding from such community residence on the  
 29 grounds that such community residence is not in compliance with the  
 30 provisions of any general statute or regulation adopted thereunder  
 31 concerning the operation of a community residence.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2005	8-3e
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**Statement of Legislative Commissioners:**

In section 1(a)(3), the phrase "and that has been issued a license by the Department of Public Health under the provisions of section 19a-491, if a license is required" was added for consistency with the general statutes.

**PD** Joint Favorable Subst.-LCO